

Attorney Docket: 117163.00095

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schaldach, et al

Examiner: Unknown

Serial No.: 10/706,717

Art Unit: Unknown

Filed: November 11, 2003

Date: April 6, 2004

For: ENDOPROSTHESIS


Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Transmitted herewith:

- 1) , Information Disclosure Statement
- 2) PTO-1449 Form
- 3) Acknowledgement of Receipt/Return Card

HAHN LOESER + PARKS LLP

By 
John J. Cunniff
Reg. No. 42,451

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service as on the date shown below and addressed to the: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 6, 2004
Date


John J. Cunniff



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harder, et al

Examiner: Unknown

Serial No: 10/706,717

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For: ENDOPROSTHESIS

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Commissioner of Patents
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INFORMATION DISCLOSURE STATEMENT

Under 37 CFR 1.97

This Information Disclosure Statement is filed more than three months after the patent application, but is before an action on the merits, so it is timely filed without payment of a fee. 37 CFR §1.97. Further, it is timely filed in that it is filed to report references, some of which first came to the attention of the applicant through a foreign search report made within the last three months.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR . 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

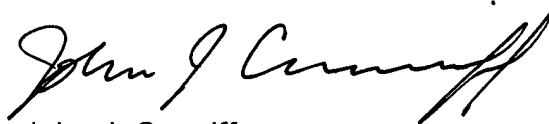
The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13, at 25.

This Information Disclosure Statement is made to comply with the duty of candor imposed on all individuals associated with the filing or prosecution of this application, as defined by 37 CFR . 1.56(c).

Three (3) U.S. patent and five (5) foreign patent documents are listed on the attached one (1) sheet of Form PTO/SB/08A which is made a part hereof. A copy of foreign patents are enclosed. Also enclosed, but not listed on the form, is a copy of a search report from the German Patent Office on German application 102 53 634.1 filed on November 11, 2002, on which this US application claims priority. The German search report is in the German language, but it uses the international conventions for citation of prior art. Additionally, a copy of a search report from the European Patent Office, issued in a corresponding application is also enclosed.

The foregoing Information Disclosure Statement is based upon the information known to the inventor or contained in the undersigned attorney's file as of the filing date of this statement and is inclusive of the best information known to each of the undersigned at that date. Prompt consideration of the Information Disclosure Statement and the references by the Examiner is earnestly requested.

Respectfully submitted,



John J. Cunniff
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Atty. Docket: 117163.00095

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	10/706.717
Filing Date	11/11/2003
First Named Inventor	Harder, et al
Art Unit	
Examiner Name	Unknown
Attorney Docket Number	117163.00095

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	FR 1412298	10/23/1964			
	BB	DE 1 953 241	05/13/1971	Magnesiumlegierung		
	BC	DE 101 18 603	10/17/2002	Hausdorf		
	BD	DE 101 28 100	12/19/2002	Medizinische		
	BE	DE 197 31 021	01/21/1999	Meyer		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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